IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 24170 of 2004

Between:

Paruchuri Prasada Rao S/o.P.Venkatramaiah
Aged 60 years, Occ: Paid Secretary (Retd.),

The Nalluru Primary Agricultural Coop. Credit Society Ltd.,

Nalluru, Repalle Mandal, Guntur District.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, rep. by its, Secretary,

Cooperation Department,
Secretariat, Hyderabad.
2. The Commissioner and Registrar of Coop.Societies,

Nampally, Hyderabad.
3. The District Cooperative Officer Guntur, Guntur District.
4. The Guntur District Cooperative Central Bank Ltd., Guntur,

Guntur District,
rep. by its General Manager.
5. The Nalluru Primary Agricultural Coop.Credit Society Ltd.,

Nalluru, Repalle Mandal, Guntur District rep. by its person-in-Charge.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, or order or direction more particularly one in the nature of writ of Mandamus directing the respondents to release the retiremental benefits including the Provident Fund amount payable to the petitioner in the District Cooperative Central Bank Ltd., Repalle Branch, Guntur District along with interest @ 11% per annum by declaring the inaction on the part of the 4th respondent is contrary to the Circular issued by the 2nd respondent dt.18.10.2002 and also direct the 5th respondent to pay arrears of salary from 1.7.2002 to 31.3.2003.

Counsel for the Petitioner: MR.MOGALLA SRINIVASA RAO

Counsel for Respondent Nos.1 to 3: GP FOR COOPERATION

Counsel for Respondent No.4: MR.P.VENKATESWARLU

The Court, at the admission stage, made the following :

ORDER:

This writ petition is filed seeking to issue a mandamus to direct the respondents to release the retirement benefits including the provident fund, gratuity and also to pay the arrears of salary from 01-07-2002 to 31-03-2003 to the petitioner.

Heard the learned counsel for the petitioner and the learned Government Pleader for Co-operation appearing for respondents 1 to 3.

The petitioner submitted a representation before the fifth respondent for release of the retirement benefits including the provident fund, gratuity and also to pay the arrears of salary. Whether the petitioner is entitled to the retirement benefits including the provident fund, gratuity and arrears of salary or not, are all matters within the realm of the fifth respondent and appropriate decision is to be taken in accordance with the A.P. Cooperative Societies Act and the rules made thereunder.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the fifth respondent to take appropriate decision on the representation dated 31-12-2003, submitted by the petitioner, in accordance with the rules of the A.P. Cooperative Societies Act, within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the

circumstances of the case, there shall be no order as to costs.

09-03-2005.

Lrkm.

To

1. The Secretary, Government of Andhra Pradesh,

Cooperation Department,
Secretariat, Hyderabad.
2. The Commissioner and Registrar of Coop.Societies,

Nampally, Hyderabad.
3. The District Cooperative Officer Guntur, Guntur District.
4. The Guntur District Cooperative Central Bank Ltd., Guntur,

Guntur District,
rep. by its General Manager.
5. The Nalluru Primary Agricultural Coop.Credit Society Ltd.,

Nalluru, Repalle Mandal, Guntur District rep. by its person-
in-Charge.

6. 2 CCs to the Government Pleader for Cooperation, High Court

Buildings, High Court of A.P., Hyderabad (O.U.T).

7. 2 CD copies.

8. 1 CC to MR.VENKATESWARLU POSANI.

*Form-NIC-OGS/WP{**MPL**}*